

JCN/Roe
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MAY 11 2005

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 10/038,431
Filing Date December 31, 2001
First Named Inventor Sushma Shrikant Trivedi
Art Unit 2183
Examiner Name Aimee J. Li
Attorney Docket No. 004860.P2687

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** - Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.)
 - Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - Other _____
 - Enclosed
 - Amendment/Reply
 - Affidavit(s)/Declaration(s)
 - Information Disclosure Statement (IDS)
 - Other _____
2. **Miscellaneous**
- Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.(Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
 - Other _____
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
 - RCE fee required under 37 C.F.R. § 1.17(e)
 - Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
 - Other _____
 - Check in the amount of \$ 890.00 enclosed
 - Payment by credit card (Form PTO-2038 enclosed)
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Lehua Wang Registration No. (Attorney/Agent) 48,023
Signature Lehua Wang Date 5/9/05

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Tina Wainright
Signature Tina Wainright Date 5-9-05

Express Mail No. (only if applicable): _____

FEE TRANSMITTAL FOR FY 2005

MAY 11 2005 Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 890.00

Complete if Known:

Application No. 10/038,431
 Filing Date December 31, 2001
 First Named Inventor Sushma Shrikant Trivedi
 Examiner Name Aimee J. Li
 Art Unit 2183
 Attorney Docket No. 004860.P2687

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify) _____

Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: _____

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

Charge fee(s) indicated below except for the filing fee

Credit any overpayments.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.
 Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity	Small Entity	Fee Description	Fees Paid (\$)		
Fee	Fee	Fee			
Code	(\$)	Code	(\$)		
1011	300	2011	150	Utility application filing fee	{ 1,000/500
1111	500	2111	250	Utility search fee	
1311	200	2311	100	Utility examination fee	
1012	200	2012	100	Design application filing fee	{ 430/215
1112	100	2112	50	Design search fee	
1312	130	2312	65	Design examination fee	
1013	200	2013	100	Plant filing fee	{ 660/330
1113	300	2113	150	Plant search fee	
1313	160	2313	80	Plant examination fee	
1004	300	2004	150	Reissue filing fee	{ 1,400/700
1114	500	2114	250	Reissue search fee	
1314	600	2314	300	Reissue examination fee	
1005	200	2005	100	Provisional application filing fee	
SUBTOTAL (1) \$ 0.00					

2. EXCESS CLAIM FEES

<u>Extra Claims</u>				<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims	38	- 36 or HP =	2	X \$50.00	= 100.00
HP = highest number of total claims paid for, if greater than 20					
Independent Claims	4	- 4 or HP =	0	X \$200.00	= 0.00
HP = highest number of independent claims paid for, if greater than 3					
Multiple Dependent Claims					=
Large Entity	Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description</u>	
1202	50	2202	25	Each claim over 20	
1201	200	2201	100	Each independent claim over 3	
1203	360	2203	180	Multiple dependent claims, if not paid	
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent	
1205	50	2205	25	Reissue: each independent claim more than in the original patent	
SUBTOTAL (2) \$ 100.00					

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
	- 100 = _____ / 50 = _____ (round up to whole number)	X \$250.00		

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description:</u> Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0.00

FEE CALCULATION (continued)**4. OTHER FEE(S)**

<u>Large Entity</u>	<u>Small Entity</u>		<u>Fees Paid (\$)</u>
Non-English Specification, \$130 fee (no small entity discount)			
<u>Fee</u>	<u>Fee</u>		
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1813	8,800	1813	8,800
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	120	2251	60
1252	450	2252	225
1253	1,020	2253	510
1254	1,590	2254	795
1255	2,160	2255	1,080
1401	500	2401	250
1402	500	2402	250
1403	1,000	2403	500
1451	1,510	1451	1,510
1452	500	2452	250
1453	1,500	2453	750
1501	1,400	2501	700
1502	800	2502	400
1503	1100	2503	550
1462	400	1462	400
1463	200	1463	200
1464	130	1464	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	790	2809	395
1814	130	2814	65
1810	790	2810	395
1801	790	2801	395
1802	900	1802	900
1504	300	1504	300
1505	300	1505	300
1803	130	1803	130
1808	130	1808	130
1454	1,370	1454	1,370
Other fee (specify)			
Other fee (specify)			
			SUBTOTAL (4) \$ 790.00
*Reduced by Basic Filing Fee Paid			
SUBMITTED BY:			
Typed or Printed Name: <u>Lehua Wang</u>			
Signature: <u>Lehua Wang</u>		Date: <u>5/9/2005</u>	
Reg. Number: <u>48,023</u>		Telephone Number: <u>408-720-8300</u>	

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

AMENDMENT TRANSMITTALPATENT

Application No.: 10/038,431
Filing Date: December 31, 2001
First Named Inventor Sushma Shrikant Trivedi
Examiner's Name: Aimee J. Li
Art Unit: 2183
Attorney Docket No.: 004860.P2687

- An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
 Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
 Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
 Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- Preliminary Amendment
 Amendment/Response with respect to Office Action
 Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
 Notice of Appeal
 RCE (Request for Continued Examination)
 Supplemental Declaration
 Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
 Information Disclosure Statement (IDS)
 Copies of IDS citations
 Petition for Extension of Time
 Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
 Cross-Reference to Related Application(s)
 Certified Copy of Priority Document
 Other: _____
 Other: _____
 Check(s)
 Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Lehua WangSIGNATURE: Lehua WangREG. NO.: 48,023DATE: 5/9/2005ADDRESS: 12400 Wilshire Boulevard, Seventh FloorLos Angeles, California 90025TELEPHONE NO.: (408) 720-8300CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

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Date of Deposit

Tina Wainright

Name of Person Mailing Correspondence

5-9-05

Signature

Date

Express Mail Label No. (if applicable): _____

(10/14/03)

Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450



Attorney's Docket No. 04860.P2687

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Examiner: Aimee J. Li
Sushma Shrikant Trivedi, et al.) Art Unit: 2183
Application No.: 10/038,431)
Filing Date: December 31, 2001) **FIRST CLASS CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))**
For: Method and Apparatus for Computing) I hereby certify that this correspondence is being deposited with the
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) May 9, 2005
) (Date of Deposit)
) Tina Wainright
) (Name of Person Mailing Correspondence)
) T. W. 5-9-05
) (Signature) (Date)

Commissioner for Patents
P.O. Box 1450,
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION
IN SUPPORT OF REQUEST FOR CONTINUED EXAMINATION (RCE)

Examiner:

In response to the Office Action mailed February 9, 2005, Applicant respectfully requests continued examination. Please enter the following amendment and consider the following remarks in support of the Request for Continued Examination (RCE).